IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3396 of 2007()

CC.1375/2000 of JUDL.M.F.C.-I,ERNAKULAM

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PETITIONERS :

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1. DASTIN, AGED 38 YEARS,
S/O.JOSEPH, KANNAMTHOTTU HOUSE
PIRAYAR PO., KOTTAYAM DISTRICT.

2. SUNNY, AGED 43 YEARS,
S/O.FAROK, THEKKETHADITHIL,
VETTIMUKAL DESOM, PUNNATHURAKKARA,
ETTUMANOOR VILLAGE, KOTTAYAM.

3. SABU, AGED 50 YEARS, S/O.KUTTAPPAN,
VADAKKARAYIL VEETIL, MULLAMKUZHI KOLONY,
KANAKKARI VILLAGE, KOTTAYAM DISTRICT.

4. ANEESH, AGED 37 YEARS
S/O.KUNJU, PUNCHAYATHIL VEEDU
KIZHAKKEBHAGAM KARA, ETTUMANOOR,
KOTTAYAM DISTRICT.

BY ADV. SRI.V.JOHN SEBASTIAN RALPH
SRI.RENJITH B.MARAR

RESPONDENT:

STATE OF KERALA REP.BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3396 OF 2007

Dated this the 1st day of June, 2007

O R D E R

Petitioners, who are accused Nos.2, 3, 4 and 6 in C.C. No.1375/2000 on the file of JFCM-I, Ernakulam for an offence punishable under Sec.511 of 379 I.P.C., seek anticipatory bail.

2. Consequent on the non-appearance of the petitioners in C.C. No.1375/00 on the file of the J.F.C.M.-I, Ernakulam, non-bailable warrants of arrest are pending against the petitioners. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by the petitioners for their previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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